

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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SUPERB MOTORS, INC., TEAM AUTO SALES, LLC, ROBERT ANTHONY URRUTIA, 189 SUNRISE HWY AUTO LLC, NORTHSHORE MOTOR LEASING LLC, BRIAN CHABRIER, individually and derivatively as a member of NORTHSHORE MOTOR LEASING LLC, JOSHUA AARONSON, individually and derivatively as a member of 189 SUNRISE HWY AUTO, LLC, JORY BARON, 1581 HYLAN BLVD AUTO LLC, 1580 HYLAN BLVD AUTO LLC, 1591 HYLAN BLVD AUTO LLC, 1632 HYLAN BLVD AUTO LLC, 1239 HYLAN BLVD AUTO LLC, 2519 HYLAN BLVD AUTO LLC, 76 FISK STREET REALTY LLC, 446 ROUTE 23 AUTO LLC AND ISLAND AUTO MANAGEMENT, LLC,

Plaintiffs,

v.

ANTHONY DEO, SARAH DEO, HARRY THOMASSON, DWIGHT BLANKENSHIP, MARC MERKLING, MICHAEL LAURIE, THOMAS JONES, CPA, CAR BUYERS NYC INC., GOLD COAST CARS OF SYOSSET LLC, GOLD COAST CARS OF SUNRISE LLC, GOLD COAST MOTORS AUTOMOTIVE GROUP LLC, GOLD COAST MOTORS OF LIC LLC, GOLD COAST MOTORS OF ROSLYN LLC, GOLD COAST MOTORS OF SMITHTOWN LLC, UEA PREMIER MOTORS CORP., DLA CAPITAL PARTNERS INC., JONES, LITTLE & CO., CPA'S LLP, FLUSHING BANK, and LIBERTAS FUNDING LLC,

Defendants.

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Case No.: 2:23-cv-6188 (JMW)

**NOTICE OF MOTION OF  
DEFENDANT LIBERTAS  
FUNDING LLC  
TO DISMISS PLAINTIFFS'  
COMPLAINT**

Hon. James M. Wicks

Served: February 9, 2024

**PLEASE TAKE NOTICE**, that Defendant Libertas Funding LLC ("Libertas") hereby moves before the Honorable James M. Wicks, United States Magistrate Judge for the Eastern District of New York, for an Order dismissing Plaintiffs' Amended Complaint.

**THIS MOTION IS MADE** pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure. The grounds for Libertas' Motion are set forth more fully in the accompanying

Memorandum of Law, including that Plaintiffs have failed to state claims against Libertas upon which relief can be granted and that the Court lacks jurisdiction over Libertas with respect to the federal claims asserted against it.

**PLEASE TAKE FURTHER NOTICE**, that the Motion is based on this Notice, the accompanying Memorandum of Law, the pleadings and papers filed in this action, and on such other matters and argument that may be presented to the Court at or before any hearing on this matter.

Dated: February 9, 2024

Respectfully Submitted,  
WEIR GREENBLATT PIERCE LLP

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